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Julie Cleary
Official Court Reporter

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BY: GABRIELLE SUSTREAN, ESQ.
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A P P E A R A N C E S :

B E F O R E : HONORABLE MEGAN TALLMER

215 East 161st Street,
Bronx, New York 10451
May 19, 2007

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APPLICATION FOR A SEARCH WARRANT:

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COUNTY OF BRONX: CRIMINAL TERM: PART AR-1

CRIMINAL COURT OF THE STATE OF NEW YORK

1 THE COURT: This is an application for a
2 search warrant.
3 MS. SUSTREAN: ADA Sustrean.
4 THE COURT: Hl, Ms. Sustrean, how are
5 you? This is Officer Mater?
6 MS. SUSTREAN: Yes.
7 THE COURT: Raise your right hand,
8 please, officer, do you swear that the statement
9 you made in you affidavit as well those you are
10 about to make are the truth under thee penalty of
11 perjury?
12 OFFICER MATER: Yes, I do.
13 THE COURT: Now is this based on your
14 personal observations, officer?
15 OFFICER MATER: Yes it is.
16 THE COURT: What is this, you state that
17 Boron stated in sum and substance that he believes
18 -- who is Boron?
19 OFFICER MATER: He is the individual
20 that is in the location, your Honor, that lives
21 there.
22 THE COURT: So what does that mean that
23 he stated in sum and substance that he, meaning,
24 Boron believes there is a semi-automatic fire arm
25 OFFICER MATER: Yes, your Honor.

65

1 THE COURT: I don't understand that an
2 occupant of the apartment who is supposedly is
3 growing marijuana believes that there is a
4 semi-automatic fire arm, how did you come in
5 possession of that information?
6 OFFICER MAIER: I asked if there was
7 anything in the apartment that could be harmful.
8 THE COURT: He was arrested?
9 OFFICER MAIER: Detained, not arrested.
10 THE COURT: Where is he right now?
11 OFFICER MAIER: Right now at the
12 station.
13 THE COURT: So at this point he is in
14 custody?
15 OFFICER MAIER: Yes, Your Honor.
16 THE COURT: Okay and he made a statement
17 to you that there was a semi-automatic?
18 OFFICER MAIER: Yes he did, Your Honor.
19 THE COURT: Right, well, there is
20 clearly first-hand knowledge here based on the
21 officer's observations as well the defendant's
22 admission so I am going to authorize the warrant.
23 Now, you are not asking for no-knock because the
24 apartments is already --
25 OFFICER MAIER: A frozen location.

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THE COURT: Excuse me?

OFFICER MAIER: Frozen.

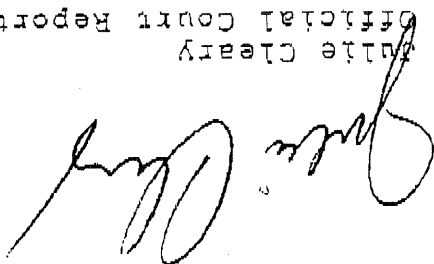
THE COURT: Okay, all right, then, people, is there any reason to seal this?

MS. SUSKREAN: No reason, Judge.

THE COURT: All right then, officer, if you could sign here.

* * *

Certified to be a true and accurate transcript of the stenographic minutes taken within.


Julie Cleary
Official Court Reporter